



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pinney
Serial No.: 10/801,321
Filed: March 16, 2004
Conf. No.: 1994
Cust. No.: 33123
For: **SYSTEM AND METHOD FOR PROVIDING
A RANDOM ACCESS AND RANDOM LOAD
DISPENSING UNIT**
Art Unit: 3651
Examiner: Khoi H. Tran

CERTIFICATE OF MAILING

I hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below and addressed to:

PO Box 1450
Alexandria, VA 22313-1450

3-22-06
Date

Jennifer Vail
Signature

TRANSMITTAL LETTER

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith are an Information Disclosure Statement, PTO/SB/08 (4 pages), and non-patent references for filing in connection with the above-identified application. The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§ 1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 05-1213. A copy of this sheet is enclosed.

Respectfully submitted,

Kurt M. Kjelland

Kurt M. Kjelland
Reg. No. 41,901

Docket No. 42193-0005
Address all correspondence to:
Customer No. 33123
HELLER EHRMAN LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, CA 92122-1246

Telephone: (858) 450-8400 Facsimile: (858) 450-8499



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pinney
Serial No.: 10/801,321
Filed: March 16, 2004
Conf. No.: 1994
Cust. No.: 33123
For: *SYSTEM AND METHOD FOR PROVIDING
A RANDOM ACCESS AND RANDOM LOAD
DISPENSING UNIT*
Art Unit: 3651
Examiner: Khoi H. Tran

CERTIFICATE OF MAILING

I hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below and addressed to:

PO Box 1450
Alexandria, VA 22313-1450

3-22-06
Date

Jennifer Vard
Signature

**INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. Form PTO/SB/08 (4 pages) and a copy of the cited non patent literature is provided herewith in connection with the above-captioned application. The cited references that comprise issued U.S. patents or published U.S. applications are not attached, per the Notice of waiver published in the Official Gazette on August 5, 2003.

Although these documents and information are made known to the Patent and Trademark Office in compliance with Applicants' duty of disclosure, such disclosure is not to be construed as an admission by Applicants or Applicants' representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

03/27/2006 WABDELRI 00000042 10801321

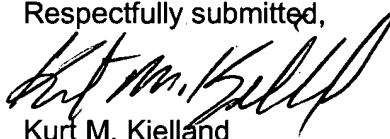
180.00 DP

01 FC:1806

A check in the amount of \$180.00 is enclosed as required under 37 CFR 1.17(p). The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Applicants respectfully request that the Examiner review the foregoing references and request that they be made of record in the file history of the above-captioned application.

Respectfully submitted,



Kurt M. Kjelland
Reg. No. 41,901

Docket No. 42193-0005
Address all correspondence to:
Customer No. 33123
HELLER EHRMAN LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, CA 92122-1246

Telephone: (858) 450-8400 Facsimile: (858) 450-8499



PTO/SB/08a (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no Persons are required to respond to a collection of information unless it contains a valid OMR control number

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 4

Complete if Known

Application Number	10/801,321
Filing Date	03/16/04
First Named Inventor	Pinney et al
Art Unit	3651
Examiner Name	K. Tran
Attorney Docket Number	42193-0005

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2004/0113786A1	06/17/2004	Maloney	
		US- 2004/0164146A1	08/26/2004	Rosenblum	
		US- 2004/0215369A1	10/28/2004	Rosenblum	
		US- 2005/0049746A1	03/03/2005	Rosenblum	
		US- 5,385,265	01/31/1995	Schlamp	
		US- 5,408,443	04/18/1995	Weinberger	
		US- 5,597,995	01/28/1997	Williams et al	
		US- 5,713,485	02/03/1998	Liff et al	
		US- 5,812,410	09/22/1998	Lion et al	
		US- 5,838,575	11/17/1998	Lion	
		US- 5,907,493	05/25/1999	Boyer et al	
		US- 5,930,145	07/27/1999	Yuyama et al	
		US- 5,963,453	10/05/1999	East	
		US- 6,039,251	03/21/2000	Holowko et al	
		US- 6,202,923	03/20/2001	Boyer et al	
		US- 6,230,927	05/15/2001	Schoonen et al	
		US- 6,305,377	10/23/2001	Portwood et al	
		US- 6,330,491	12/11/2001	Lion	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		WO 2004/021289	03/11/2004	Mendota Healthcare		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.USCourtForms.com

Under the Paperwork Reduction Act of 1995 no Persons are required to respond to a collection of information unless it contains a valid OMR control number

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2

of 4

Complete if Known

Application Number	10/801,321
Filing Date	06/16/04
First Named Inventor	Pinney et al
Art Unit	3651
Examiner Name	K. Tran
Attorney Docket Number	42193-0005

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,330,491	12/11/2001	Lion	
		US- 6,352,200	03/05/2002	Schoonen et al	
		US- 6,443,359	09/03/2002	Green et al	
		US- 6,588,548	07/08/2003	Dewitt	
		US- 6,648,153	11/18/2003	Holmes	
		US- 6,874,684	04/05/2005	Denenberg et al	
		US- 6,892,941	05/17/2005	Rosenblum	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995 no Persons are required to respond to a collection of information unless it contains a valid OMR control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 10/801,321

Filing Date 03/16/04

First Named Inventor Pinney

Art Unit 3651

Examiner Name K. Tran

Sheet 3 of 4 Attorney Docket Number 42193-0005

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Time to switch drugstores?", Consumer Reports, October 2003, 5 pgs.	
		"Docs try ATM-style prescription machines", CNN.com, 11/17/01, 2 pgs.	
		"Vending Pharmacy- Is the long-distance dispensing of drugs the remedy for patients in remote areas?", Drugtopics.com, 03/06/00, 3 pgs.	
		"Chains, independents make some gains in technology", Drugtopics.com, 12/10/01, 3 pgs.	
		Fleming, Harris, Jr., "Orderly Process - Can central prescription filling help solve pharmacy's time crunch? McKesson thinks it can", Drugtopics.com, 03/01/99, 3 pgs.	
		Mendota Healthcare, Inc.'s profile of "InstyMeds" available at www.instymed.com/video.html , 12 pgs.	
		Jackman, Michael, "Study says chain drug stores ripe for kiosks", KioskMarketPlace.com, 08/01/01, 2 pgs.	
		Kieser, Joe, "Medication available at punch of a button", Sun Newspapers, 10/31/01, 2 pgs.	
		Mentroy, Jill S., MD, FACS, "Telepharmacy: VA Pharmacy finds Convenience in Vending Machines", Veterans Health System Journal (VHSJ), 10/06/98, 2 pgs.	
		Pickpoint Corporation's profile of "FlexCall product" available at http://www.pickpoint.com/prodcuts-flexcall.html , 23 pgs.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995 no Persons are required to respond to a collection of information unless it contains a valid OMR control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 10/801,321

Filing Date 03/16/04

First Named Inventor Pinney

Art Unit 3651

Examiner Name K. Tran

Attorney Docket Number 42193-0005

Sheet

4

of

4

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Telepharmacy Solutions, Inc. profile of "TSI's ADDS (Automated Drug Distribution System) product" available at http://www.telepharmacysolutions.com/ , 44 pgs.	
		Ukens, Carol, "Remote Control - Automation puts retail R.Ph.'s foot in doctor's door", Drugtopics.com, 01/20/97, 1997, 3 pgs.	
		Ukens, Carol, "Another automated dispenser hits community pharmacy", Drugtopics.com, 09/15/97, 1997, 3 pgs.	
		Ukens, Carol, "Pharmacist Shortage Boosts Telepharmacy", Telepharmacy Solutions Media Coverage, 06/03/02, 2 pgs.	
		Ukens, Carol, "Technology - Rx vending machine targets pharmacy", Drugtopics.com, 12/10/01, 3 pgs.	
		K. Barker et al, "White Paper on Automation In Pharmacy", The Consultant Pharmacists, Vol. 13, No. 13, March 1998, pp. 21-37	
		McKesson APS: Automated Will Call Rotary Cabinet, available at http://www.mckessonaps.com/wt/aps/prodserv_profiles_willcall	
		R. Lewis et al, "Developing The Infrastructure For Patient Care", The Patient-Centered Pharmacy, APhA, 2002, pp. 66-94	
		CBS NEWS, "Automated Medicine", November 13, 2001, available at http://www.cbsnews.com/storeis/2001/11/13/health/printable317894.shtml	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.